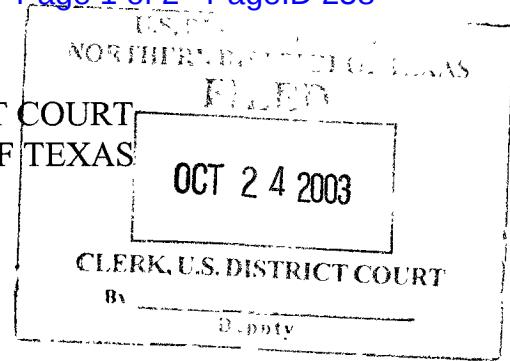


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



JAMES AVERY RUSH, IV,

)

Plaintiff,

)

VS.

)

NO. 2-03CV-0140J

NATIONAL BOARD OF MEDICAL  
EXAMINERS,

)

Defendant.

)

**REPORT ON STATUS OF  
SETTLEMENT NEGOTIATIONS**

Pursuant to the Court's Original Rule 16 Scheduling Order, the parties advise the Court that while there have been some discussions regarding settlement an agreement has not been reached. The parties have agreed to mediate this case before John Simpson on November 4, 2003. As per the Court's instruction, if the case is not settled on that date, the mediation will be adjourned until after Defendant's experts are submitted and Plaintiff has had an opportunity to review them.

Respectfully submitted,

GWINN & ROBY

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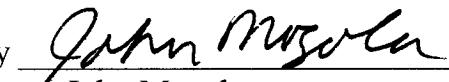
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By \_\_\_\_\_

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